

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE, EASTERN DIVISION

IN RE: Stephanie Denise Watson
Debtor

Case No.: 15-11477
Schedule 13

**MOTION FOR ORDER AND FINDINGS OF FACT AND
NOTICE OF DISCLOSURE AND STATEMENT OF FACTS**

Debtor Stephanie Watson, by and through her undersigned employment law attorney, Kathleen Pohlid, files this notice of disclosure and statement of facts setting forth the circumstances as to why Debtor's charge of discrimination and claims against Home Depot U.S.A., Inc. and Lisa Adams ("Defendants") were not previously disclosed in her bankruptcy actions prior to May 27, 2016 and also files this motion for an Order and Findings of Fact as follows:

1. That prior omissions of disclosure of Debtor's claims of discrimination, including the charge of discrimination that she filed with the EEOC and the complaint she filed in the matter *Watson v. Home Depot U.S.A., Inc. and Lisa Adams*, currently pending before the U.S. District Court, Middle District of Tennessee, Case No. 1:1-cv-00013, were not due to any intent to deceive or intent to conceal such matters from this Court;
2. That the evidence indicates an absence of bad faith on the part of Debtor regarding the omission and non-disclosure before this Court until May 27, 2016 of Debtor's claims of discrimination against Defendants; and
3. That the prior omissions from disclosure in Debtor's bankruptcy actions in this matter and in Case 13-12381 of Debtor's claims against Defendants were the result of mistake or inadvertence.

Debtor files this motion in order to make the record clear regarding the circumstances as to why Debtor's discrimination charge and claims against Defendants were not previously disclosed to this Court. In support of this motion, Debtor submits her Affidavit (Affidavit of Stephanie Watson, Exhibit 1) and the Amended Affidavit of Ken Walker (Exhibit 2) establishing that:

1. Prior to filing for bankruptcy in this matter, Debtor told Mr. Walker, her bankruptcy attorney, that she filed a charge of discrimination with the EEOC against her prior employer Home Depot and was told by Mr. Walker that her charge did not state a claim and was not required to be reported in the bankruptcy action.
2. Debtor was never informed of any obligation to report her claims against Defendants in this or her prior bankruptcy action.
3. Debtor never knowingly made any representation under oath that she did not have claims of discrimination against Home Depot U.S.A., Inc. and/or Lisa Adams.
4. Debtor never knowingly concealed her claims of discrimination against Home Depot U.S.A., Inc. and/or Lisa Adams from this Court, the U.S. Trustee, the Trustee, the creditors in her bankruptcy actions, or her bankruptcy counsel.
4. Debtor has voluntarily disclosed her employment and income received to this Court and in her bankruptcy action in this matter and in her prior bankruptcy action.
5. Upon being made aware of her obligation to report her complaint of discrimination against Defendants, Debtor promptly initiated action to do so.
6. Debtor has been forthcoming in this matter, understands that her discrimination claims are the property of her bankruptcy estate, that she will obtain prior approval from this Court before any settlement of such action is made, and that she will

report to this Court all monetary settlement and reinstatement obtained as a result of such claims prior to her discharge in bankruptcy.

WHEREFORE, the evidence supports findings of fact as set forth above, Debtor Stephanie Watson asks this Court for an Order and Findings of Fact as set forth above.

Dated this the 3rd day of June 2016.

/s Kathleen Pohlid

Kathleen Pohlid (BPR #022401)

Attorney & Managing Member

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CERTIFICATE OF SERVICE

I, hereby certify that on this the 3rd day of June, 2016, a true copy of the foregoing was submitted to the Bankruptcy Court for the Western District of Tennessee, Jackson for filing and that a true copy was served upon the following via postage prepaid U.S. Mail addressed as follows:

Kenneth Walker, Esquire
107 South Shannon Street
Jackson, TN 38301

Timothy H. Ivy
P.O. Box 1313
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U.S. Trustee
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Memphis, TN 38103

Stephanie Denise Watson
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Spring Hill, TN 37174

/s Kathleen Pohlid

Kathleen Pohlid